

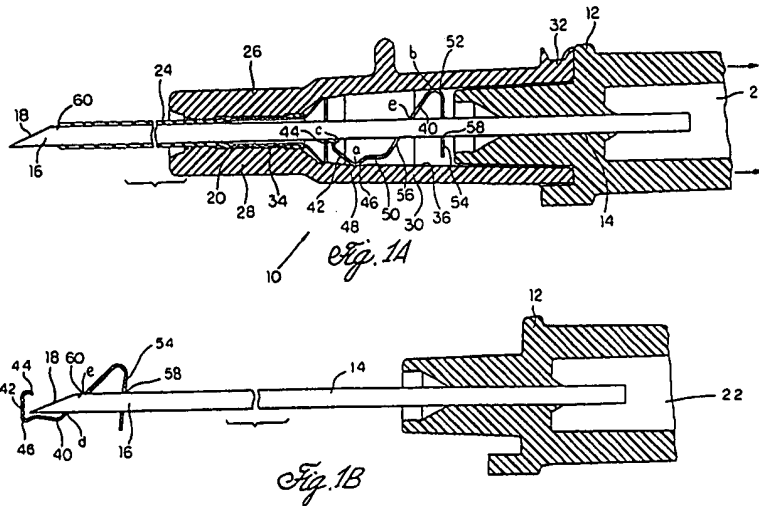
REMARKS

Claims 1-8, 10, 12-19 27-31, 38 and 39 are currently pending in this application. By this amendment, Claims 1-6, 8, 10, 12, 13, 15-18 and 27 have been amended, Claims 9, 11, 20-26 and 32-37 have been canceled, and Claims 38 and 39 have been added. Claims 20-26 and 32-37 have been canceled without prejudice as being directed to a non-elected embodiment. These claims will be the subject of one or more subsequently filed divisional applications. No new matter has been added by this amendment. In view of the amendments above and the remark to follow, reconsideration and allowance of this application are respectfully requested.

In the Office Action, Claims 1-10, 12-22, 25-29 and 31 were rejected to under 35 U.S.C. § 102(e) over U.S. Patent No. 6,616,630 to Woehr et al. ("Woehr"). Woehr discloses several embodiments of a catheter including a resilient needle guard. In one embodiment shown in FIGS. 1A and 1B reproduced below, the catheter 10 includes a needle hub 12 having an axial opening 14 which securely receives the proximal end of a needle 16 having a sharpened tip 18. Needle hub 12 includes a flash chamber 22. A needle guard 40 is in the form of a unitary spring clip having a distal arm 42 terminating at its upper end in a curved lip 44 and at its lower end in a pointed end 46. Pointed end 46 is received in a mating groove 48. Needle guard 40 also includes a transverse segment 50 which terminates in a U-shaped upper end 52. Clip 40 also includes a vertical arm 54. Upper end 52 abuts against an upper interior wall of hub section 30. Transverse segment 50 and vertical arm 54 include aligned openings 56 and 58 through which a shaft of needle 16 is free to pass and axially move.

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In the ready position of the catheter prior to needle withdrawal, needle 16 engages curved lip 44 of clip 40 to urge lower end 46 to seat in groove 48. As needle 16 is retracted, the distal tip of needle 16 moves past curved lip 44 of clip 40, releasing the retention force on clip 40. Thereafter, clip 40 snaps in a clockwise direction such that distal arm 42 of needle guard 40 blocks the distal path of needle 16. Clip 40 also becomes securely clamped on needle 16 at points D and E. At this time, needle 16 and needle guard 40 become securely clamped on the needle shaft and needle 16 and needle guard 40 can be removed from catheter hub 26.

Applicants respectfully submit that Woehr fails to disclose or suggest the safety shield recited in Claims 1-10, 12-22, 25-29 and 31 of the present application. More specifically, each of independent Claims 1 and 15, as amended, recites a safety shield having a housing and including, inter alia, a clip having a first leg having a distal part configured to engage a medical device externally of the housing to secure the medical device to the housing. Independent Claim

27, on the other hand, recites a medical clip including, inter alia, a first leg defining a distal part having a hook portion for engaging an external surface of a medical device. As discussed above, Woehr discloses a catheter including a clip guard 40 which is wholly contained within a catheter hub. No part of the clip guard extends from or is configured to engage a medical device externally of the catheter hub. Nor is any portion of clip guard 40 configured to engage an external surface of a medical device. For at least these reasons, Applicants believe independent Claims 1, 15 and 27 define over the art of record and are in condition for allowance. Likewise, for at least the reasons discussed above, Applicants believe Claims 2-8, 10, 12-14, 16-19, 28, 29 and 31, which depend directly or indirectly from one of Claims 1, 15 and 27, are also in condition for allowance.

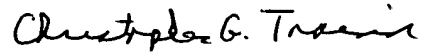
Applicants gratefully acknowledge the Examiner's indication that Claim 11 includes allowable subject matter. Claim 11 has been rewritten in independent form as new Claim 39. New Claim 38 has also been added and is of a scope to which Applicants believe they are entitled.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims pending in the application, namely Claims 1-8, 10, 12-19, 27-31, 38 and 39 are in condition for allowance. Should the Examiner feel that a telephone or personal interview may facilitate

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resolution of any remaining matters, he is respectfully requested to contact Applicant's attorney
at the number indicated below.

Respectfully submitted,



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